

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OHIO
EASTERN DIVISION

VIRGINIA BARNES,

Plaintiff,

vs.

THE PROGRESSIVE CORPORATION; et al.,

Defendants.

CASE NO. 1:17-CV-00865-PAG

JUDGE PATRICIA A. GAUGHAN

ORDER OF DISMISSAL AND
APPROVING SETTLEMENT

Having come before the Court on the Parties' Joint Motion for Approval of Settlement and Stipulation of Dismissal With Prejudice as to Plaintiff's Amended Complaint, it is hereby ORDERED AND ADJUDGED as follows:

1. The Court hereby accepts and approves the proposed settlement and holds that the proposed settlement submitted by the Parties is a fair, adequate and reasonable settlement of a bona fide dispute over the provisions of the Fair Labor Standards Act;

2. The Court also concludes that as this is a settlement of a collective action under the Fair Labor Standards Act, 29 U.S.C. §§ et seq., it is not subject to the provisions of the Class Action Fairness Act, 28 U.S.C. § 1715.

3. The Court orders that the settlement payments be distributed in the manner, and subject to the terms and conditions, set forth in the Settlement;

4. The Court orders that the claims of the following Opt-In Plaintiffs are dismissed (even though they are not receiving settlement payments) because their claims are untimely even

under a 3-year statute of limitations: Rodney Brown, Ebonie Dozier, Sarah Hughes, Tedra Jackson, Rodney Jackson, Vernett Mosby, Leah Pasela, Carolyn Pruett, Catrera Willis;

5. The above case is hereby DISMISSED WITH PREJUDICE; each party to bear its own attorneys' fees and costs except as otherwise provided by the Settlement. All pending deadlines are stricken as moot. The Court shall retain jurisdiction to enforce the Parties' Settlement.

ORDERED this 18th day of December, 2017.

/s/ Patricia A. Gaughan
JUDGE PATRICIA A. GAUGHAN